

**ORDINANCE NO. 20061005-026**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 607 THERESA AVENUE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 TO ALLOW CONSTRUCTION OF AN ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** This ordinance applies to the construction of an addition to an existing single family residence located at 607 Theresa Avenue. The two story structure will have a floor area of 3,385 square feet.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 4(D) of Ordinance No. 20060309-058 which limits the size of a structure after remodeling to the greater of:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or
- (3) the existing size plus 1000 square feet, if the applicant has been granted a homestead exemption for the structure.

**PART 3.** Council has considered the factors for granting a waiver from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver is justified because:

- (A) the development limitation imposes undue hardship on the applicant; and
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare.

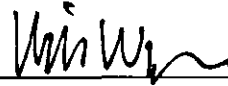
**PART 4.** A waiver is granted from Part 4(D) of Ordinance 20060309-058 to allow the addition to a single family residence located at 607 Theresa Avenue for a total structure size not to exceed 3,385 square feet.

**PART 5.** This ordinance takes effect on October 16, 2006.

**PASSED AND APPROVED**

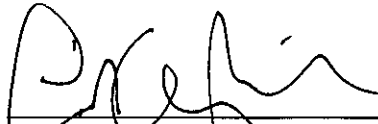
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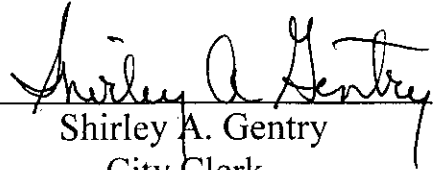
Will Wynn  
Mayor

**APPROVED:**



David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Gentry  
City Clerk